

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Dawn F. Littlejohn,

Plaintiff,

AFFIDAVIT
13-CV-1116 (RWS)

-against-

City of New York, John B. Mattingly, Former
Commissioner, Amy Baker, Brandon Stratford,
et al.

Defendants.
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AFFIDAVIT OF DAWN F. LITTLEJOHN

I, Dawn F. Littlejohn being over the age of 18, residing in New York, New York
hereby depose and say that:

1. I was constructively discharged from my employment at the New York City Administration for Children's Services hereinafter ("ACS") on September 24, 2012 when I went out pursuant to the Family Medical Leave Act hereinafter ("FMLA") and could not return for medical reasons. At the time of my constructive discharge I was employed as an Administrative Staff Analyst [NM]. I began employment with ACS in or about April 2009. I was demoted and transferred on or about March 13, 2011 from Director of Equal Employment Opportunity hereinafter ("EEO") which was a managerial position, to my current Civil Service title which is non-managerial at a loss of money to my pension. I was transferred to the Office of Employment Services. My direct supervisor was changed from Amy Baker female white

Chief of Staff for ACS to Brandon Stradford male black Director of the Employment Services Office.

2. I originally traveled to and filed a Charge of Discrimination with the U.S. Equal Employment Opportunity Commission ("EEOC") on October 21, 2011 alleging discrimination based on race, color, retaliation, and hostile work environment. See Charge and building pass annexed hereto as Exhibit 1.
3. I filed another supplemental Charge of Discrimination with the EEOC New York District office on February 2, 2012 complaining of discrimination based on race, color, retaliation and hostile work environment and designating it a continuing action. See Exhibit 2 annexed hereto.
4. I attempted several times in 2011 to talk to Janet Subrizi female white Assistant Commissioner Office of Personnel Services for ACS about the sexual harassment that I was experiencing by Brandon Stradford but, Subrizi refused to sit down and talk to me. She always had an excuse not to talk and would often say that she was too busy. I was relegated to taking notes about the attempts that I made to talk to her regarding Stradford's mistreatment of me. For e.g., I made handwritten notes on manilla office file folders and yellow large office envelopes contemporaneous with the events and attempts that I made to talk to Subrizi about Stradford. In 2011 and 2012 I made notes on March 29, 2011, April 1, 4, 5, 26, 29, May 4, 18, June 6, September 8,

2011, March 26, 2012 and April 2, 2012. Please see my handwritten notes annexed hereto as Exhibit 3.

5. My handwritten notes essentially talk about the hostile work environment that I was experiencing under my supervisor Brandon Stradford and detail the many failed attempts that I made on the many different days beginning on April 1, 2011 to discuss the matter with Janet Subrizi.
6. On April 20, 2012 I met with Fredda Monn female white Director EEO at ACS to complain about the sexual harassment that I was experiencing from my Supervisor Brandon Stradford. Fredda Monn is the person who replaced me as Director EEO. For two (2) hours I discussed with Ms. Monn all of the actions and conduct that were of a sexual harassment nature that I endured from my Supervisor Brandon Stradford. I also supplied Ms. Monn with a written list of witnesses. See Exhibit 4 annexed hereto.
7. During the April 2012 meeting Ms. Monn did not supply me with a form or forms for filling out my sexual harassment claim. It was my understanding, based upon my prior experience, that the EEO Officer is supposed to explain the process for making a complaint of discrimination and provide the necessary forms. Accordingly, on November 29, 2012 I went to the internal EEO Office and wrote out a Complaint of Discrimination alleging sexual harassment by Brandon Stradford and handed it to Ms. Monn. See Exhibit 5 annexed hereto.

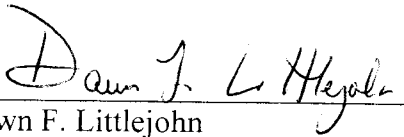
8. Between March 2012 and July 2012, I spoke to Deborah Reik, Investigator at the EEOC New York District Office numerous times about my harassment complaint against Brandon Stradford by cell phone and email. During these written and verbal communications I described the sexual harassment to her. On one occasion in or about June 2012 she responded by saying “that sounds creepy”. On one such occasion, in April 2012 I wrote to Deborah Reik via email correspondence regarding my complaint of sexual harassment against Brandon Stradford. At that point in time I was attempting to get a new supervisor assigned to me and an alternate work location away from Brandon Stradford. My work location situation did not get resolved in April 2012. See Reik emails annexed hereto as Exhibit 6. Also see acknowledgement of Transfer Request annexed hereto as Exhibit 7.
9. However, in June 2012 I did receive a new work assignment and a new supervisor. In or about May 2012 Inv. Reik told me that ACS did not want to mediate or give me a new management position.
10. After my long conversation with Fredda Monn on April 20, 2012, I followed up with a letter to her dated May 22, 2012 regarding our earlier meeting. See Exhibit 8 annexed hereto.
11. Upon my return from my first FMLA leave on or about June 5, 2012 Fredda Monn acknowledged my complaint by stating to me that she was in the

process of investigating my complaint but, in the meantime I would not have to report to Brandon Stradford any longer.

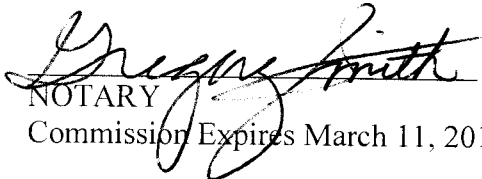
12. In a handwritten letter dated August 22, 2012 I thanked Ms. Monn for the change of supervisors but, I reminded her that I was still working in a hostile work location. I again asked her if there was anything that she could do to move me to another location away from Brandon Stradford and that it would be appreciated. See August 22, 2012 Monn letter annexed hereto as Exhibit 9.
13. My new direct report Supervisor was Claudette Wynter female black Director of Personnel Services. She is currently Assistant Commissioner of Administration for ACS.
14. Although, my direct supervisor was changed from Brandon Stradford to Claudette Wynter my work location remained the same. Accordingly, I continued to receive and endure sexual harassment and other forms of harassment from Brandon Stradford.
15. In August 2012 I wrote emails to Claudette Wynter requesting a change of location so as to be away from Brandon Stradford. However, Ms. Wynter would not help me. See Wynter emails annexed hereto as Exhibit 10.

16. On September 24, 2012 I again went out on FMLA leave due to the sexual harassment that I was enduring by Brandon Stradford. This would become my constructive discharge date.
17. On October 23, 2012 I wrote a letter to Kevin Berry, Director of the EEOC, New York District Office and mailed it to him certified mail return receipt requested 7011 3500 0002 1980 6272 alleging sexual harassment and hostile work environment due to the actions and conduct of Brandon Stradford. See Exhibit 11 annexed hereto.
18. Months later on May 13, 2013 Fredda Monn sent a letter to me stating that she had interviewed all of my witnesses and that she found no evidence of sexual harassment. See Exhibit 12 annexed hereto.
19. On November 29, 2012 I requested a reasonable accommodation with supporting medical documentation to my Supervisor Claudette Wynter requesting that my work location be changed so that I would not be in a hostile work location near Brandon Stradford. To my knowledge I was never granted this reasonable work location accommodation. See reasonable accommodation letter annexed hereto as Exhibit 13 annexed hereto.
20. The EEOC mailed me a "right to sue" letter dated November 19, 2012. See Exhibit 14 annexed hereto.

21. Based upon all of my conversations and correspondence with Janet Subrizi, Freeda Monn, Deborah Reik, Claudette Wynter, and my letter to EEOC New York District Office Director Kevin Berry amending my EEOC Charge that I originally filed October 21, 2011, I believed that I had satisfied all requirements precedent to the filing my original federal court Complaint that was filed pro se on February 15, 2013.


Dawn F. Littlejohn
Plaintiff

Sworn to me this 17th
day of December 2013


NOTARY
Commission Expires March 11, 2014